

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DirecTV,

Plaintiff(s)

CIVIL ACTION

v.

NO. 03-40257-FDS

Despres,

Defendant(s)

SCHEDULING ORDER

SAYLOR, D.J.

This order is intended primarily to aid and assist counsel in scheduling and planning the preparation and presentation of cases, thereby insuring the effective, speedy and fair disposition of cases either by settlement or trial.

The above-entitled action having been filed/removed on 11/24/03 it is hereby ORDERED pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), that:

- (1) amendments and/or supplements to the pleadings may be filed by 10/1/04 subject to the provisions of the Federal Rules of Civil Procedure.
- (2) written discovery requests are to be served by 10/31/04 and answers are to be served by 11/30/04.
- (3) all fact depositions are to be completed by 1/30/05.
- (4) all trial experts are to be designated by Plaintiff by 2/15/05 and disclosure of information contemplated by FRCP, Rule 26(a)(2) is to be provided by 2/15/05. Defendant by 3/1/05 and 3/1/05. Expert deposition completed by 4/31/05.

- (5) all dispositive motions, including motions for summary judgment, are to be filed by 5/15/05 and responses are to be filed thirty (30) days thereafter.
- (6) motions for summary judgment are to be filed ----- [after completion of the necessary discovery] and responses are to be filed within fourteen (14) days thereafter pursuant to Local Rule 7.1 and all filings must conform to the requirements of Local Rule 56.1;
- (7) discovery is to be completed by 1/30/05, unless shortened or enlarged by Order of this Court.
- (8) Parties to file joint status report by ----- Re: Mediation and ADR. Case to be referred to Magistrate Swartwood forthwith for mediation.
- (9) A final pretrial conference will be held on July 20, 2005 at 3:00p.m., and must be attended by trial counsel. Counsel shall be prepared to commence trial as of the date of the final pretrial conference.

All provisions and deadlines contained in this order having been established with the participation of the parties to this case, any requests for modification must be presented to the judge or magistrate judge, if referred for case management proceedings. Any requests for extension will be granted only for good cause shown supported by affidavits, other evidentiary materials, or reference to pertinent portions of the record. The request shall be made by motion and shall contain the reasons for the request, a summary of the discovery which remains to be taken, and a date certain when the requesting party will complete the additional discovery, join other parties, amend the pleadings or file motions. The Court may then enter a final scheduling order, if necessary.

Counsel are encouraged to seek an early resolution of this matter. Additional case management conferences may be scheduled by the court or upon the request of counsel, if the Court can be of assistance in resolving preliminary issues or in settlement.

By the Court,

---

8/25/05

Date

---

/s/ Martin Castles

Deputy Clerk

508-929-9904

(Schdcjra.ord - 9/92)

Schedo.